

**FIRST AMENDMENT
TO GENERAL SERVICES AGREEMENT NUMBER F002525
WITH PONCIA FERTILIZER, INC**

This First Amendment to Agreement number F002525, dated November 3, 2022 ("Agreement") is made as of this _____ day of _____ 2023, by and between the City of Santa Rosa, a municipal corporation ("City"), and Poncia Fertilizer, Inc. ("Contractor").

RECITALS

- A. City and Contractor entered into the Agreement for Contractor to provide biosolids hauling services as required by the City of Santa Rosa Compost Facility.
- B. City and Contractor now desire to amend the Agreement for the purpose of extending the term one-year, with a 2.43% increase in unit price beginning on January 1, 2024.

AMENDMENT

NOW, THEREFORE, the parties agree to amend the Agreement as follows:

1. TERM, SUSPENSION, TERMINATION

Pursuant to Section 6(a) of the Agreement, the parties hereby agree to extend the term of the Agreement for an additional one year.

2. COMPENSATION

Section 4 of the Agreement is amended to increase the compensation payable to Contractor under the Agreement by \$745,035 to read as follows:

"The total of all fees paid to Contractor for the satisfactory performance and completion of all services set forth in the Agreement shall not exceed the total sum of \$1,470,430. The Chief Financial Officer is authorized to pay all proper claims from Charge Number 130807."

3. BILLABLE RATES, PAYMENTS TO CONTRACTOR

Section 5.a. is amended to read as follows: "Contractor shall be paid for the performance of services as set forth in Exhibit B until January 1, 2024, at which point Contractor shall be paid for the performance of services as set forth in Exhibit B-1."

Exhibit B to the Agreement is supplemented by Exhibit B-1, which is attached to this First Amendment.

All other terms of the Agreement shall remain in full force and effect.
Executed as of the day and year first above stated.

CONTRACTOR:

Poncia Fertilizer, Inc

TYPE OF BUSINESS ENTITY:

☐ Individual/Sole Proprietor
☐ Partnership
☒ Corporation
☐ Limited Liability Company
☐ Other (please specify: _____)

Signatures of Authorized Persons:

By: _____

Print Name: Andy Ponica

Title: President

By: _____

Print Name: Andy Ponica

Title: Treasurer

City of Santa Rosa Business Tax Cert. No.

_____ N/A _____

Attachment:

Exhibit B-1 – Compensation

CITY OF SANTA ROSA

a Municipal Corporation

By: _____

Print Name: Daniel J. Galvin III

Title: Chairman of the Board

APPROVED AS TO FORM:

Office of the City Attorney

ATTEST:

Board Secretary

EXHIBIT B-1 - COMPENSATION SCHEDULE

<u>ITEM</u>	<u>QTY</u>	<u>UNIT</u>	<u>DESCRIPTION</u>	<u>UNIT COST/WET TN</u>	<u>EXTENDED TOTAL</u>
1	3,000	Wet Ton/Year	Haul biosolids from Laguna Treatment Plant to Compost Facility	\$3.25	\$9,750.00
2	7000	Wet Ton/Year	Haul biosolids from Laguna Treatment Plant and/or Compost Facility to Alpha Storage Facility	\$4.75	\$33,250.00
3	2340	Wet Ton/Year	Haul biosolids from Alpha Storage Facility or Laguna Treatment Plant or Compost Facility to Brown Farm	\$4.75	\$11,115.00
4	420	Wet Ton/Year	Haul Biosolids from Laguna Treatment Plant or from Alpha Farm or from Compost Facility to Stone Farm	\$4.75	\$1,995.00
5	100	Wet Ton/Year	Haul biosolids from Alpha Storage Facility to Compost Facility	\$2.25	\$225.00
6	100	Wet Ton/Year	Haul biosolids from Compost Facility to Alpha Storage Facility	\$2.25	\$225.00
7	5000	Wet Ton/Year	Haul biosolids from Laguna Treatment Plant, or Alpha Farm Storage Facility, or Compost Facility to Jacobsen Ranch	\$12.00	\$60,000.00
8	1450	Wet Ton/Year	Haul biosolids from Laguna Treatment Plant or Compost Facility to Redwood Landfill	\$8.00	\$11,600.00
9	2880	Wet Ton/Year	Haul biosolids from Laguna Treatment Plant, or Alpha Farm Storage Facility, or Compost Facility to Scally Wag Ranch	\$12.00	\$34,560.00
10	3020	Wet Ton/Year	Haul biosolids from Laguna Treatment Plant, or Alpha Farm Storage Facility, or Compost Facility to Leonard Ranch	\$12.00	\$36,240.00
11	4500	Wet Ton/Year	Haul biosolids from Laguna Treatment Plant or Alpha Farm Storage Facility, or Compost Facility to Yenni Ranch	\$14.25	\$64,125.00
12	4000	Wet Ton/Year	Haul biosolids from Laguna Treatment Plant or Alpha Farm Storage Facility, or Compost Facility to Twin House Farm	\$12.00	\$48,000.00
13	2400	Wet Ton/Year	Haul biosolids from Laguna Treatment Plant or Alpha Farm Storage Facility, or Compost Facility to Twin Vista Ranch	\$12.00	\$28,800.00
14	3800	Wet Ton/Year	Haul biosolids from Laguna Treatment Plant or Alpha Farm Storage Facility, or Compost Facility to BBRRBR, LLC Ranch	\$12.00	\$45,600.00
15	5400	Wet Ton/Year	Haul biosolids from Laguna Treatment Plant or Alpha Farm Storage Facility, or Compost Facility to Herzog Ranch	\$12.00	\$64,800.00
16	4000	Wet Ton/Year	Haul Biosolids from Laguna Treatment Plant or Alpha Farm Storage Facility, or Compost Facility to Crane Ranch	\$12.00	\$48,000.00
17	11,000	Wet Ton/Year	Haul biosolids from Laguna Treatment Plant to Lystek Facility at Fairfield Suisun Sewer District Treatment Plant	\$22.25	\$244,750.00
			2nd YEAR GRAND TOTAL		\$743,035.00